

Please note that this En Banc motion Addendum is submitted pursuant to Fed. R. App. P. 35 and the Eleventh Circuit's Internal Operating Procedures, which require that all such motions be circulated to the full Court. Appellant respectfully requests confirmation of docketing and reserves the right to seek further review should this filing not be properly circulated or acknowledged in accordance with those rules.

TO:

Clerk of Court

U.S. Court of Appeals for the Eleventh Circuit

56 Forsyth Street, N.W.

Atlanta, Georgia 30303

FROM:

Mario Mirabal

563 W 49th Street

Miami Beach, FL 33140

RE:

En Banc Addendum – Fraud Upon the Docket and Systemic Clerk
Suppression

Filed in Support of En Banc Oversight Request

Filed in the Following Cases:

Case No. 25-10858 – KP Investments Miami, LLC v. Mario Mirabal

Case No. 25-10862 – KP Investments Miami, LLC v. Mario Mirabal

Case No. 25-11120 – In re: Mario Mirabal

Case No. 25-11182 – In re: Mario Mirabal

Case No. 25-11183 – In re: Mario Mirabal

Case No. 25-11254 – In re: Mario Mirabal

Case No. 25-11752 – Consolidated Mandamus Docket

Enclosed:

Introduction and Closing Statement

Forensic Docket Analysis for All Six Appeals

May 23, 2025 PACER Docket Snapshots (Exhibits)

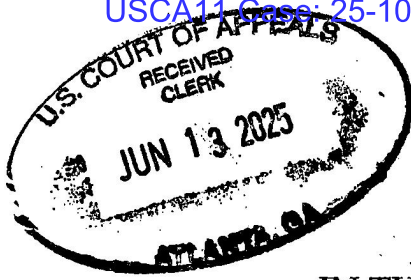
June 7, 2025 PACER Docket Snapshots (Exhibits)

Respectfully submitted,

Mario Mirabal

Pro Se Appellant

solphax@gmail.com | 786.479.6596



IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

In re:

Mario Mirabal,

Pro Se Appellant

Filed in the Following Dockets:

Appeal No. 25-10858

Appeal No. 25-10862

Appeal No. 25-11120

Appeal No. 25-11182

Appeal No. 25-11183

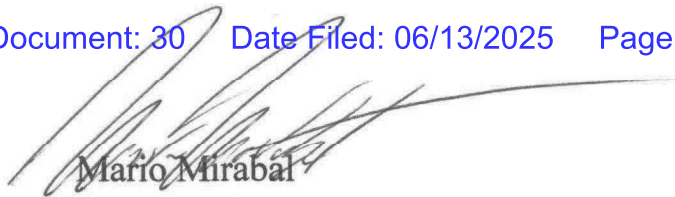
Appeal No. 25-11254

Case No. 25-11752

EN BANC ADDENDUM – SYSTEMIC CLERK MISCONDUCT,
DOCKET TAMPERING, AND JURISDICTIONAL INTERFERENCE

Submitted Pursuant to FRAP 35, 11th Cir. R. 35-1, and 28 U.S.C. § 1651

Submitted by:



Mario Mirabal

563 W 49th Street

Miami Beach, FL 33140

Pro Se Appellant

June 10, 2025

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PACER Docket Snapshot – June 7, 2025

Appendix C – Forensic Analysis of Case No. 25-11120

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PACER Docket Snapshot – June 7, 2025

Appendix D – Forensic Analysis of Case No. 25-11182

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PACER Docket Snapshot – June 7, 2025

Appendix E – Forensic Analysis of Case No. 25-11183

PACER Docket Snapshot – May 23, 2025

PACER Docket Snapshot – June 7, 2025

Appendix F – Forensic Analysis of Case No. 25-11254

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PACER Docket Snapshot – June 7, 2025

Includes note misrepresentation, document spoliation, and Judge Lopez-Castro's reversal of standing via fund return

Certificate of Interested Persons (CIP)

Certificate of Service

Certificate of Compliance

INTRODUCTION TO THE SIX-CASE ADDENDUM

RE: Systematic Docket Suppression Across Six Appellate Proceedings

Appellant: Mario Mirabal

Submitted in Support of En Banc Oversight Request – June 5, 2025

This addendum presents a forensic analysis of all six appellate cases filed by Appellant between March and April 2025, each arising from district and bankruptcy court actions involving Deutsche Bank, PHH Mortgage, and KP Investments Miami LLC.

Each case has been subjected to a consistent and escalating pattern of procedural irregularities and administrative suppression within the Eleventh Circuit's Clerk's Office. The record shows:

Filings required by rule (including Certificates of Interested Persons, Initial Briefs, and Notices of Appeal) were never entered into the docket.

Other filings (e.g., Motions to Seal, Rule 27 jurisdictional challenges, and Mandamus Petitions) were temporarily acknowledged, then removed.

In two cases, the Eleventh Circuit Clerk misidentified the originating district court, resulting in jurisdictional misrouting and severance from the relevant record.

Multiple filings submitted under seal pursuant to federal law were suppressed in their entirety.

Across all six appeals, the same pattern holds: the dockets reflect only a curated, truncated subset of filings — removing core documents needed to trigger judicial review, assert constitutional defenses, or invoke fraud protections.

The legal consequence is not mere administrative delay or clerical error. It is the denial of due process, the obstruction of appellate review, and the concealment of federal filings implicating systemic fraud on the courts.

CLOSING ARGUMENT AND REQUEST FOR EN BANC INTERVENTION

Citing 11th Cir. R. 35-1 and FRAP 35(a)(2)

Under 11th Cir. R. 35-1 and FRAP 35(a)(2), en banc consideration is warranted where "the proceeding involves one or more questions of exceptional importance."

There is no question more exceptional than this:

What happens when the Clerk of Court prevents the Court of Appeals from seeing the case at all?

This is not a dispute over a ruling. It is a call for institutional self-examination. The record provided in the attached addendum shows that docket records have been altered, concealed, or erased across six appellate

matters — all linked to the same parties, same counsel, and same allegations.

Appellant respectfully invokes this Court’s supervisory power under Rule 35, the All Writs Act, and its inherent duty to preserve the integrity of the judicial process.

This Court cannot permit the gatekeeping of judicial review to be outsourced to a procedural layer that remains unaccountable to the law it administers.

For all six cases identified herein — and for all other litigants whose sealed, jurisdictional, or constitutionally significant filings may have been deleted before judicial eyes ever reached them — Appellant respectfully requests:

That this Court initiate a sua sponte en banc review of all six appellate dockets;

That it reexamine the integrity of filings withheld, removed, or misfiled by the Clerk’s Office;

And that it adopt formal internal protocols for the protection of jurisdictional filings, sealed materials, and Rule 60(d)(3) fraud allegations.

Appellant also confirms that copies of all Rule 60(d)(3) motions, Rule 27 filings, and petitions for writ of mandamus — many of which were unilaterally consolidated or mischaracterized as “duplicates” by the Clerk’s

Office in violation of Federal Rules of Appellate Procedure 21 and 35 —
have been submitted along with this en banc petition and forensic docket
addendum to the following oversight authorities:

The Civil Frauds Division of the U.S. Department of Justice

The Office of Senator Charles Grassley, Ranking Member of the Senate
Judiciary Committee

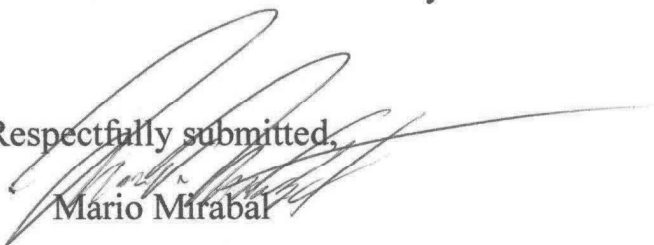
The Judicial Conference of the United States

Chief Judge of the Eleventh Circuit William H. Pryor Jr.

The Eleventh Circuit is now formally on notice that Appellant will not
acquiesce to fraud upon the court, fraud upon the docket, or procedural
misrepresentations by clerks or court staff under color of official capacity.
All lawful remedies and protected disclosures will be pursued in defense of
the constitutional rights afforded to every citizen — rights which have been
materially obstructed in this case across multiple judicial levels.

This record is no longer confined to internal review. It is now a matter of
public and institutional accountability

Respectfully submitted,



Mario Mirabal

Pro Se Appellant

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Miami Beach Fl, 33140

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786.479.6596

June 10, 2025

Forensic Docket Analysis – Eleventh Circuit Case No. 25-10858

KP Investments Miami, LLC v. Mario Mirabal

Originating District Case No.: 1:25-cv-20688-JEM

Filed: March 14, 2025

Type: Appeal of Remand Order

I. Verified Filings by Appellant (Pre–April 21, 2025)

The following filings were fully prepared, properly formatted, and mailed to the Clerk of Court between March 24 and April 17, 2025. Each was expected to be entered into the docket between Entries 2 through 11:

Verified Pre–April 21 Filings in Case No. 25-10858

Filing: Motion to File Under Seal

Date on Document: March 24, 2025

Date Mailed: Approximately March 25, 2025

Estimated Delivery: Approximately March 28, 2025

Status: Missing from docket

Filing: Initial Appellate Brief

Date on Document: March 29, 2025

Date Mailed: April 2, 2025

Estimated Delivery: Approximately April 5, 2025

Status: Missing from docket

Filing: Certificate of Interested Persons (CIP)

Date on Document: March 31, 2025

Date Mailed: April 2, 2025

Estimated Delivery: Approximately April 5, 2025

Status: Missing from docket

Filing: Petition for Writ of Mandamus

Date on Document: April 17, 2025

Date Mailed: April 17 or 18, 2025

Estimated Delivery: April 20 or 21, 2025

Status: Missing from docket

Filing: Omnibus Motion to Seal

Date on Document: April 17, 2025

Date Mailed: April 17 or 18, 2025

Estimated Delivery: April 20 or 21, 2025

Status: Missing from docket

II. May 23, 2025 Docket Snapshot: Partial Entry Only

As of the PACER docket snapshot dated May 23, 2025, the earliest visible entry was:

Entry 12 (04/21/2025) – Redacted Motion to Seal filed by Appellant.

This suggests:

All filings between Entries 1–11 were already deleted or withheld from entry

Entry 12 (possibly a March 24 motion) was entered nearly one month after receipt

Despite the late entry, it later disappears entirely from PACER.

III. Current PACER Record (as of June 2025): Docket Now Begins at Entry
17

Today, the PACER docket for 25-10858 begins with:

Entry 17 (05/19/2025) – Order denying Motion to Seal [14] and Motion to Consolidate [16]

All earlier entries — including Entry 12, 13, 14, 15, and 16 — have been removed.

This confirms:

Multiple entries that were previously visible in May have now been deleted

The entire pre-April 21 filing sequence has been permanently scrubbed
from the record

IV. Procedural Consequences and Pattern of Suppression

This case now demonstrates three forms of docket suppression:

Filings never entered despite confirmed mailing and delivery

Filings entered weeks late, then removed (Entries 12–16)

Docket begins at Entry 17, deleting the core foundation of the case (NOA,
Brief, CIP, Mandamus)

V. Legal Implications

There is no legitimate procedural explanation for these omissions. Each of
these filings was:

Material to the appeal

Properly submitted under FRAP and local rules

In at least one case (Entry 14), acknowledged and entered before being
wiped

This leads to a clear legal conclusion:

There is no way for the Appellant, the Court, the DOJ, the FBI, the Senate,
or the Judicial Conference to verify that these filings ever existed — despite
documented proof of preparation and submission.

That's not a clerical problem.

That's docket laundering — the selective entry and later removal of filings
that were acknowledged but are now wiped clean, severing public
accountability.

Entries that once existed and have since been deliberately removed — after
a temporary placement into the docket to make it appear like they were
honored — represent intentional concealment of procedural evidence.

When a federal court docket contains sealed filings that are later removed
without judicial order, and the filer is unable to verify their own submission,
it constitutes prima facie evidence of procedural obstruction and fraud upon
the docket.

04/08/2025	<u>8</u>	Returned Mail was received for Attorney Kenneth Damas for Appellee KP Investments Miami, LLC. IN RE: 4/7/2025 Civil - Notice of Docketing. [Entered: 04/08/2025 04:05 PM]
04/16/2025	<u>10</u>	NOTICE OF CERTIFICATE OF INTERESTED PERSONS (CIP) DEFICIENCY issued to Kenneth Damas for KP Investments Miami, LLC. You have failed to complete the Web-Based CIP on the Court's website and have not filed the standalone CIP. If you are an appellant or petitioner, pursuant to 11th Cir. Rules 26.1-5(c) and 42-1(b), this appeal will be dismissed without further notice upon the expiration of 14 days from the date of this notice unless you remedy the default(s). [Entered: 04/16/2025 01:57 PM]
04/16/2025	<u>11</u>	Notice of Mandatory ECF sent to Mario Mirabal. Once a non-incarcerated pro se party has registered to use the ECF system, such party is required to do so. Paper filings will not be accepted [Entered: 04/16/2025 04:28 PM]
04/21/2025	<u>13</u>	<i>Redacted MOTION to seal filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [13] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:43 PM]</i>
04/21/2025	<u>12</u>	Notice of receipt: objection to the ECF requirement as to Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183.. [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:35 PM]
04/21/2025	<u>14</u>	<i>Unredacted MOTION to seal filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [14] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:47 PM]</i>
04/21/2025	<u>15</u>	<i>Unredacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [15] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 10:23 AM]</i>
04/21/2025	<u>16</u>	<i>Redacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [16] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 11:45 AM]</i>
05/19/2025	<u>17</u>	ORDER: Motion to seal documents filed by Appellant Mario Mirabal is DENIED. [14]; Motion to consolidate appeals filed by Appellant Mario Mirabal is DENIED. [16] ENTERED FOR THE COURT - BY DIRECTION. (See attached order for complete text) [Entered: 05/19/2025 05:19 PM]
05/22/2025	<u>18</u>	Briefing Notice issued to Appellee KP Investments Miami, LLC. Appellee's brief is due on or before 06/23/2025. Created Awaiting Supplemental Appendix on 06/02/2025 as to Appellee KP Investments Miami, LLC. [Entered: 05/22/2025 03:57 PM]

PACER Service Center			
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05/23/2025 02:59:05			
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Billable Pages:	1	Cost:	0.10

- 05/19/2025 17 ORDER: Motion to seal documents filed by Appellant Mario Mirabal is DENIED. [14]; Motion to consolidate appeals filed by Appellant Mario Mirabal is DENIED. [16] ENTERED FOR THE COURT - BY DIRECTION. (See attached order for complete text) [Entered: 05/19/2025 05:19 PM]
- 05/22/2025 18 Briefing Notice issued to Appellee KP Investments Miami, LLC. Appellee's brief is due on or before 06/23/2025. Created Awaiting Supplemental Appendix on 06/02/2025 as to Appellee KP Investments Miami, LLC. [Entered: 05/22/2025 03:57 PM]
- 05/22/2025 20 "Appellant's Motion for Default Relief Based on Failure to to Cure CIP Deficiency and Fraud Upon the Court Under Rule 60(d)(d)" filed by Appellant Mario Mirabal. [20] [Entered: 05/23/2025 01:23 PM]
- 05/22/2025 21 Duplicate Emergency Petition for Writ of Mandamus filed by Appellant Mario Mirabal. [Entered: 05/23/2025 02:23 PM]
- 05/22/2025 22 Notice of receipt of "Protective Notice of Federal Seal Obligation and Request for Administrative Hold on Entry No. 14" received from Appellant Mario Mirabal. [Entered: 05/27/2025 10:10 AM]
- 05/27/2025 23 Notice that no action will be taken on the "Protective Notice of Federal Seal Obligation and Request for Administrative Hold on Entry No. 14" filed by Appellant Mario Mirabal. The appellant can file a motion if he seeks relief from the Court. [Entered: 05/27/2025 10:13 AM]
- 05/27/2025 24 ORDER: Pursuant to the 11th Cir. R. 42-2(c), this appeal is DISMISSED for want of prosecution because the appellant Mario Mirabal failed to file an appendix within the time fixed by the rules [20] [19] [Entered: 05/27/2025 10:16 AM]
- 05/29/2025 25 Notice that no action will be taken on the appellant's supplemental judicial notices because this appeal is closed. [Entered: 05/29/2025 03:43 PM]
- 06/02/2025 26 "Emergency Rule 27 Motion to Stay State Court Case" filed by Appellant Mario Mirabal. [26] [Entered: 06/03/2025 08:41 AM]
- 06/03/2025 27 Notice that no action will be taken on the appellant's "Emergency Rule 27 Motion to Stay State Court Case" because this appeal is closed. [26] [Entered: 06/03/2025 08:45 AM]

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- 05/22/2025 20 *"Appellant's Motion for Default Relief Based on Failure to to Cure CIP Deficiency and Fraud Upon the Court Under Rule 60(d)(d)" filed by Appellant Mario Mirabal. [20] [Entered: 05/23/2025 01:23 PM]*
- 05/22/2025 21 Duplicate Emergency Petition for Writ of Mandamus filed by Appellant Mario Mirabal. [Entered: 05/23/2025 02:23 PM]
- 05/22/2025 22 Notice of receipt of "Protective Notice of Federal Seal Obligation and Request for Administrative Hold on Entry No. 14" received from Appellant Mario Mirabal. [Entered: 05/27/2025 10:10 AM]
- 05/27/2025 23 Notice that no action will be taken on the "Protective Notice of Federal Seal Obligation and Request for Administrative Hold on Entry No. 14" filed by Appellant Mario Mirabal. The appellant can file a motion if he seeks relief from the Court. [Entered: 05/27/2025 10:13 AM]
- 05/27/2025 24 ORDER: Pursuant to the 11th Cir. R. 42-2(c), this appeal is DISMISSED for want of prosecution because the appellant Mario Mirabal failed to file an appendix within the time fixed by the rules [20] [19] [Entered: 05/27/2025 10:16 AM]
- 05/29/2025 25 Notice that no action will be taken on the appellant's supplemental judicial notices because this appeal is closed. [Entered: 05/29/2025 03:43 PM]
- 06/02/2025 26 *"Emergency Rule 27 Motion to Stay State Court Case" filed by Appellant Mario Mirabal. [26] [Entered: 06/03/2025 08:41 AM]*
- 06/03/2025 27 Notice that no action will be taken on the appellant's "Emergency Rule 27 Motion to Stay State Court Case" because this appeal is closed. [26] [Entered: 06/03/2025 08:45 AM]
- 06/05/2025 28 *"Emergency Motion for En Banc Review to Preserve Jurisdiction, Correct Clerk-Level Suppression, and Resolve Inconsistent Treatment of Fraud-on-the-Court Filings" filed by Appellant Mario Mirabal. [28] [Entered: 06/09/2025 03:22 PM]*
- 06/09/2025 29 Notice that no action will be taken on the appellant's "Emergency Motion for En Banc Review to Preserve Jurisdiction, Correct Clerk-Level Suppression, and Resolve Inconsistent Treatment of Fraud-on-the-Court Filings" because this appeal is closed. [28] [Entered: 06/09/2025 03:25 PM]

PACER Service Center			
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Billable Pages:	1	Cost:	0.10

Forensic Docket Analysis – Case No. 25-10862

Case Name: KP Investments Miami, LLC v. Mario Mirabal

Appeal No.: 25-10862

Originating District Case: 1:25-cv-20747-JEM

Filed: March 14, 2025

Type: Appeal (Second KP Removal)

Verified Filings by Appellant (March 22 – April 17, 2025)

Filing: Under Seal Notice of Interference with Appellate Jurisdiction

Date on Document: March 21, 2025

Date Mailed: March 22, 2025

Estimated Delivery: March 25, 2025

Status: Missing from docket

Filing: Emergency Motion for Protective Stay

Date on Document: March 24, 2025

Date Mailed: March 24, 2025

Estimated Delivery: March 27, 2025

Status: Missing from docket

Filing: Emergency Petition for Writ of Mandamus

Date on Document: March 28, 2025

Date Mailed: March 28, 2025

Estimated Delivery: April 1, 2025

Status: Missing from docket

Filing: Certificate of Interested Persons (CIP)

Date on Document: March 28, 2025

Date Mailed: March 28, 2025

Estimated Delivery: April 1, 2025

Status: Missing from docket

Filing: Appellant's Initial Brief

Date on Document: March 29, 2025

Date Mailed: April 2, 2025

Estimated Delivery: April 5, 2025

Status: Missing from docket

Filing: Emergency Motion for Expedited Ruling Without Hearing

Date on Document: April 4, 2025

Date Mailed: April 4, 2025

Estimated Delivery: April 8, 2025

Status: Missing from docket

Filing: Emergency Motion to Consolidate and Hold Under Protective
Review

Date on Document: April 17, 2025

Date Mailed: April 17, 2025

Estimated Delivery: April 20, 2025

Status: Missing from docket

May 23, 2025 PACER Snapshot:

Earliest visible entries begin at:

Entry 13 – Motion to Consolidate (Unredacted)

Entry 14 – Motion to Consolidate (Redacted)

Entry 15 – Opinion Dismissing Appeal

Entry 16 – Judgment

Entry 17 – Motion for Judicial Notice

Entry 18 – Notice of No Action

Entry 19 – Rule 60(d)(3) Motion

Entry 20 – Emergency Motion to Reconsider

Entry 12 (Motion to Seal) was present in May 23 but is now missing.

Current PACER Record (as of June 7, 2025):

Entries 13 through 20 remain accessible.

Entry 12 (Motion to Seal) is now missing.

None of the filings mailed March 22–April 17 are reflected in the docket, even though several are required under court rules.

Procedural Consequences and Pattern of Suppression:

All early filings, including jurisdictional CIPs, sealed mandamus filings, and emergency protective motions, have been excluded from the docket.

Entry 12 was temporarily visible (May 23) and is now removed.

Appellant's Initial Brief, which is required under FRAP 31, is not on record.

The official docket therefore fails to reflect the foundational legal documents filed between March 22 and April 17.

Legal and Institutional Consequences:

There is no way for the Appellant, the Court, DOJ, FBI, or Congress to

verify that these filings ever existed — despite documented proof of preparation and submission.

That's not just a clerical problem.

That's docket laundering — the selective entry and later removal of filings that were acknowledged but are now wiped clean, severing public accountability.

Entries that once existed and have since been deliberately removed — after a temporary placement into the docket to make it appear like they were honored — represent not administrative delay but intentional concealment of procedural evidence.

When a federal court docket contains sealed filings that are later removed without judicial order, and the filer is unable to verify their own submission, it constitutes prima facie evidence of procedural obstruction and fraud upon the docket.

- 04/21/2025 12 *Unredacted MOTION to seal filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [12] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:47 PM]*
- 04/21/2025 13 *Unredacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [13] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 10:23 AM]*
- 04/21/2025 14 *Redacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [14] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 11:45 AM]*
- 04/25/2025 9 *ORDER: Appellant's motion to file under seal is DENIED. [5] ALB (See attached order for complete text) [Entered: 04/25/2025 02:24 PM]*
- 05/13/2025 15 *Opinion issued by court as to Appellant Mario Mirabal. Decision: Dismissed. Opinion type: Non-Published. Opinion method: Per Curiam. Motion to consolidate appeals filed by Appellant Mario Mirabal is DENIED as MOOT. [14], Motion to consolidate appeals filed by Appellant Mario Mirabal is DENIED as MOOT. [13]; Motion to seal documents filed by Appellant Mario Mirabal is DENIED as MOOT. [12]; Motion to seal case filed by Appellant Mario Mirabal is DENIED as MOOT. [11]; Motion to expedite ruling on a motion filed by Appellant Mario Mirabal is DENIED as MOOT. [8]. The opinion is also available through the Court's Opinions page at this link <http://www.ca11.uscourts.gov/opinions>. [Entered: 05/13/2025 11:14 AM]*
- 05/13/2025 16 *Judgment entered as to Appellant Mario Mirabal. [Entered: 05/13/2025 11:34 AM]*
- 05/13/2025 17 *MOTION to take judicial notice filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [17] [Entered: 05/14/2025 09:39 AM]*
- 05/14/2025 18 *Notice that no action will be taken on Motion to take judicial notice [17] filed by Appellant Mario Mirabal. Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1. Additionally, the filing is deficient for failure to comply with this Court's rules for Certificate of Compliance. See FRAP 32(g)(1).. [Entered: 05/14/2025 09:52 AM]*
- 05/15/2025 19 *MOTION for Relief from Judgment Under Rule 60(d)(3) filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [19] [Entered: 05/20/2025 09:49 AM]*
- 05/16/2025 20 *Emergency Motion to Reconsider and Vacate, construed as a Petition for panel rehearing only filed by Appellant Mario Mirabal. [Entered: 05/22/2025 02:53 PM]*

PACER Service Center			
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05/23/2025 02:59:55			
PACER Login:	solphaxwest	Client Code:	
Description:	Case Summary	Search Criteria:	25-10862
Billable Pages:	1	Cost:	0.10

- 04/21/2025 13 *Unredacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [13] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 10:23 AM]*
- 04/21/2025 14 *Redacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [14] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 11:45 AM]*
- 04/25/2025 9 ORDER: Appellant's motion to file under seal is DENIED. [5] ALB (See attached order for complete text) [Entered: 04/25/2025 02:24 PM]
- 05/13/2025 15 Opinion issued by court as to Appellant Mario Mirabal. Decision: Dismissed. Opinion type: Non-Published. Opinion method: Per Curiam. Motion to consolidate appeals filed by Appellant Mario Mirabal is DENIED as MOOT. [14], Motion to consolidate appeals filed by Appellant Mario Mirabal is DENIED as MOOT. [13]; Motion to seal documents filed by Appellant Mario Mirabal is DENIED as MOOT. [12]; Motion to seal case filed by Appellant Mario Mirabal is DENIED as MOOT. [11]; Motion to expedite ruling on a motion filed by Appellant Mario Mirabal is DENIED as MOOT. [8]. The opinion is also available through the Court's Opinions page at this link <http://www.ca11.uscourts.gov/opinions>. [Entered: 05/13/2025 11:14 AM]
- 05/13/2025 16 Judgment entered as to Appellant Mario Mirabal. [Entered: 05/13/2025 11:34 AM]
- 05/13/2025 17 *MOTION to take judicial notice filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [17] [Entered: 05/14/2025 09:39 AM]*
- 05/14/2025 18 Notice that no action will be taken on Motion to take judicial notice [17] filed by Appellant Mario Mirabal. Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1. Additionally, the filing is deficient for failure to comply with this Court's rules for Certificate of Compliance. See FRAP 32(g)(1).. [Entered: 05/14/2025 09:52 AM]
- 05/15/2025 19 *MOTION for Relief from Judgment Under Rule 60(d)(3) filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [19] [Entered: 05/20/2025 09:49 AM]*
- 05/16/2025 20 Emergency motion to reconsider and vacate dismissal due to procedural suppression and jurisdictional misrepresentation, construed as a Petition for panel rehearing only; request to delay issuance of the mandate filed by Appellant Mario Mirabal.--[Edited 05/28/2025 by CRL] [Entered: 05/22/2025 02:53 PM]
- 05/22/2025 21 Notice of receipt: Notice of Pending Rule 60(d)(3) Motion and Motion to Recall Mandate as to Appellant Mario Mirabal. NO ACTION WILL BE TAKEN because the mandate hasn't issued yet and the Rule 60(d)(3) motion is still pending. [Entered: 05/30/2025 04:41 PM]

PACER Service Center			
Transaction Receipt			
06/07/2025 03:28:31			
PACER Login:	solphaxwest	Client Code:	
Description:	Case Summary	Search Criteria:	25-10862
Billable Pages:	1	Cost:	0.10

- 04/21/2025 14 Redacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [14] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 11:45 AM]
- 04/25/2025 9 ORDER: Appellant's motion to file under seal is DENIED. [5] ALB (See attached order for complete text) [Entered: 04/25/2025 02:24 PM]
- 05/13/2025 15 Opinion issued by court as to Appellant Mario Mirabal. Decision: Dismissed. Opinion type: Non-Published. Opinion method: Per Curiam. Motion to consolidate appeals filed by Appellant Mario Mirabal is DENIED as MOOT. [14], Motion to consolidate appeals filed by Appellant Mario Mirabal is DENIED as MOOT. [13]; Motion to seal documents filed by Appellant Mario Mirabal is DENIED as MOOT. [12]; Motion to seal case filed by Appellant Mario Mirabal is DENIED as MOOT. [11]; Motion to expedite ruling on a motion filed by Appellant Mario Mirabal is DENIED as MOOT. [8]. The opinion is also available through the Court's Opinions page at this link <http://www.ca11.uscourts.gov/opinions>. [Entered: 05/13/2025 11:14 AM]
- 05/13/2025 16 Judgment entered as to Appellant Mario Mirabal. [Entered: 05/13/2025 11:34 AM]
- 05/13/2025 17 MOTION to take judicial notice filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [17] [Entered: 05/14/2025 09:39 AM]
- 05/14/2025 18 Notice that no action will be taken on Motion to take judicial notice [17] filed by Appellant Mario Mirabal. Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1. Additionally, the filing is deficient for failure to comply with this Court's rules for Certificate of Compliance. See FRAP 32(g)(1).. [Entered: 05/14/2025 09:52 AM]
- 05/15/2025 19 MOTION for Relief from Judgment Under Rule 60(d)(3) filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [19] [Entered: 05/20/2025 09:49 AM]
- 05/16/2025 20 Emergency motion to reconsider and vacate dismissal due to procedural suppression and jurisdictional misrepresentation, construed as a Petition for panel rehearing only; request to delay issuance of the mandate filed by Appellant Mario Mirabal. -[Edited 05/28/2025 by CRL] [Entered: 05/22/2025 02:53 PM]
- 05/22/2025 21 Notice of receipt: Notice of Pending Rule 60(d)(3) Motion and Motion to Recall Mandate as to Appellant Mario Mirabal. NO ACTION WILL BE TAKEN because the mandate hasn't issued yet and the Rule 60(d)(3) motion is still pending. [Entered: 05/30/2025 04:41 PM]
- 05/27/2025 22 MOTION Appellant's Rule 27(d) Motion to correct clerical characterization of emergency motion filed May 16, 2025 filed by Appellant Mario Mirabal. Opposition to Motion is Unknown [22] [Entered: 06/09/2025 03:42 PM]

PACER Service Center			
Transaction Receipt			
06/09/2025 22:15:18			
PACER Login:	solphaxwest	Client Code:	7419874
Description:	Case Summary	Search Criteria:	25-10862
Billable Pages:	1	Cost:	0.10

Forensic Docket Analysis – Case No. 25-11120

Case Name: In re: Mario Mirabal

Appeal No.: 25-11120

Originating District Case: 1:25-cv-20747-JEM

Filed: March 28, 2025

Type: Mandamus (KP Case, Improper Remand)

Verified Filings by Petitioner (March 22 – April 17, 2025)

Filing: Notice of Interference with Appellate Jurisdiction

Date on Document: March 21, 2025

Date Mailed: March 22, 2025

Estimated Delivery: March 25, 2025

Status: Missing from docket

Filing: Objection to ECF Requirement – Rule 25-3(d)(2)

Date on Document: March 28, 2025

Date Mailed: March 28, 2025

Estimated Delivery: April 1, 2025

Status: Missing from docket

Filing: Emergency Petition for Writ of Mandamus

Date on Document: March 28, 2025

Date Mailed: March 29, 2025

Estimated Delivery: April 1–2, 2025

Status: Missing from docket

Filing: Certificate of Interested Persons (CIP)

Date on Document: March 28, 2025

Date Mailed: March 29, 2025

Estimated Delivery: April 1–2, 2025

Status: Missing from docket

**Filing: Emergency Motion to Consolidate and Hold Under Protective
Review**

Date on Document: April 17, 2025

Date Mailed: April 17, 2025

Estimated Delivery: April 20–21, 2025

Status: Missing from docket

Filing: Omnibus Motion to Seal

Date on Document: April 17, 2025

Date Mailed: April 17, 2025

Estimated Delivery: April 20–21, 2025

Status: Missing from docket

May 23, 2025 Docket Snapshot:

Visible entries begin with:

Entry 21 – Motion to Vacate Lower Court Order (5/15/25)

Entry 22 – Order Denying Seal, Fee Waiver, Consolidation (5/20/25)

Entry 23 – Rule 60(d)(3) Motion (5/15/25)

Entry 24 – Docketing Fee Paid Notice (5/28/25)

Entry 25 – Motion to Clarify Docket (5/27/25)

Entry 26 – “No Action” on Clarification Motion

Entry 27–28 – Receipt of Fee and Certificate of Service (5/29/25)

Entry 29 – Supplemental Judicial Notice (6/02/25)

Entry 30 – Emergency Rule 27 Motion (6/03/25)

All filings between March 22 and April 17 are entirely absent.

Current PACER Docket:

Entries 21–30 remain visible.

There is no Entry 1–20.

None of the jurisdictional, emergency, or Federaly-protected filings were entered — including the Rule 25-3(d)(2) Objection and Emergency Mandamus Petition.

Procedural Consequences and Pattern of Suppression:

The docket begins arbitrarily at Entry 21, omitting core jurisdictional filings that predate them by over a month.

Multiple under-seal filings, including protected filings and requests for in-camera review, are suppressed.

This includes Petitioner’s CIP — a mandatory prerequisite to motion consideration under 11th Cir. Rule 26.1-1.

Petitioner’s Emergency Petition for Writ of Mandamus (a central constitutional filing) is missing, yet subsequent motions related to that

petition appear on record, severed from their foundation.

Legal and Institutional Consequences:

There is no way for the Appellant, the Court, DOJ, FBI, or Congress to verify that these filings ever existed — despite documented proof of preparation and submission.

That's not just a clerical problem.

That's docket laundering — the selective entry and later removal of filings that were acknowledged but are now wiped clean, severing public accountability.

Entries that once existed and have since been deliberately removed — after a temporary placement into the docket to make it appear like they were honored — represent not administrative delay but intentional concealment of procedural evidence.

When a federal court docket contains sealed filings that are later removed without judicial order, and the filer is unable to verify their own submission, it constitutes prima facie evidence of procedural obstruction and fraud upon the docket.

- 04/21/2025 15 Redacted MOTION to seal filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [15] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:43 PM]
- 04/21/2025 14 Notice of receipt: objection to the ECF requirement as to Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183.. [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:35 PM]
- 04/21/2025 16 Unredacted MOTION to seal filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [16] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:47 PM]
- 04/21/2025 17 Unredacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [17] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 10:23 AM]
- 04/21/2025 18 Redacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [18] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 11:45 AM]
- 04/24/2025 7 ORDER: Motion for exemption from electronic filing filed by Petitioner Mario Mirabal is GRANTED. [4] The Clerk's Office is DIRECTED to continue to provide electronic notices of docketing activity to Petitioner through the ECF system. The Clerk's Office will not provide paper copies of documents to Petitioner through the mail when docketing activity occurs. Upon review, the Clerk's Office is DIRECTED to unseal the mandamus petition in this case. Petitioner has not sought the Court's leave to file his petition under seal and it does not otherwise warrant sealing. ELB (See attached order for complete text) [Entered: 04/24/2025 04:56 PM]
- 05/13/2025 19 MOTION to take judicial notice filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [19] [Entered: 05/14/2025 08:46 AM]
- 05/14/2025 20 Notice that no action will be taken on Motion to take judicial notice [19] filed by Petitioner Mario Mirabal. Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1. [Entered: 05/14/2025 08:47 AM]
- 05/15/2025 21 MOTION vacate lower court order, to vacate court's order filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [21] [Entered: 05/20/2025 12:06 PM]
- 05/20/2025 22 ORDER: Petitioner's motions to waive fees without filing a financial affidavit, to seal filings in this case, and to consolidate it with other cases pending before the Court are DENIED. Within 14 days after the date of this order, Petitioner must pay the docketing fees or file a motion for leave to proceed in forma pauperis with a financial affidavit attached. Petitioner must also serve Respondent with a copy of his petition and provide proof of service to this Court. If Petitioner does not file proof of service within 14 days after the date of this order, the Clerk's Office is DIRECTED to dismiss this case for want of prosecution. ENTERED FOR THE COURT - BY DIRECTION. (See attached order for complete text) [Entered: 05/20/2025 12:26 PM]

PACER Service Center			
Transaction Receipt			
05/23/2025 03:00:38			
PACER Login:	solphaxwest	Client Code:	
Description:	Case Summary	Search Criteria:	25-11120
Billable Pages:	1	Cost:	0.10

- 05/15/2025 21 *MOTION vacate lower court order, to vacate court's order filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [21]* [Entered: 05/20/2025 12:06 PM]
- 05/15/2025 23 *MOTION for Relief from Judgment Under Rule 60(d)(3) filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [23]* [Entered: 05/23/2025 09:18 AM]
- 05/20/2025 22 ORDER: Petitioner's motions to waive fees without filing a financial affidavit, to seal filings in this case, and to consolidate it with other cases pending before the Court are DENIED. Within 14 days after the date of this order, Petitioner must pay the docketing fees or file a motion for leave to proceed in forma pauperis with a financial affidavit attached. Petitioner must also serve Respondent with a copy of his petition and provide proof of service to this Court. If Petitioner does not file proof of service within 14 days after the date of this order, the Clerk's Office is DIRECTED to dismiss this case for want of prosecution. ENTERED FOR THE COURT - BY DIRECTION. (See attached order for complete text) [Entered: 05/20/2025 12:26 PM]
- 05/27/2025 25 *MOTION for docket clarification and correction filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [25]* [Entered: 05/29/2025 09:31 AM]
- 05/27/2025 27 Notice of receipt: Notice attached to check for docketing fee as to Petitioner Mario Mirabal. [Entered: 05/29/2025 09:36 AM]
- 05/27/2025 28 Notice of receipt: Certificate of Service as to Petitioner Mario Mirabal.. [Entered: 05/29/2025 09:38 AM]
- 05/28/2025 24 Appellate fee was paid on 05/28/2025 as to Petitioner Mario Mirabal. [Entered: 05/28/2025 01:09 PM]
- 05/29/2025 26 Notice that no action will be taken on Motion for docket clarification and correction [25] filed by Petitioner Mario Mirabal.
Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1. [Entered: 05/29/2025 09:32 AM]
- 05/29/2025 29 Notice of receipt: Supplemental Judicial Notice as to Petitioner Mario Mirabal. [Entered: 06/02/2025 03:45 PM]
- 06/02/2025 30 *"Emergency Rule 27 Motion to Stay State Court Case" filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [30]* [Entered: 06/03/2025 10:15 AM]

PACER Service Center			
Transaction Receipt			
06/07/2025 03:29:10			
PACER Login:	solphaxwest	Client Code:	
Description:	Case Summary	Search Criteria:	25-11120
Billable Pages:	1	Cost:	0.10

- 05/15/2025 21 *MOTION vacate lower court order, to vacate court's order filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [21]* [Entered: 05/20/2025 12:06 PM]
- 05/15/2025 23 *MOTION for Relief from Judgment Under Rule 60(d)(3) filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [23]* [Entered: 05/23/2025 09:18 AM]
- 05/20/2025 22 ORDER: Petitioner's motions to waive fees without filing a financial affidavit, to seal filings in this case, and to consolidate it with other cases pending before the Court are DENIED. Within 14 days after the date of this order, Petitioner must pay the docketing fees or file a motion for leave to proceed in forma pauperis with a financial affidavit attached. Petitioner must also serve Respondent with a copy of his petition and provide proof of service to this Court. If Petitioner does not file proof of service within 14 days after the date of this order, the Clerk's Office is DIRECTED to dismiss this case for want of prosecution. ENTERED FOR THE COURT - BY DIRECTION. (See attached order for complete text) [Entered: 05/20/2025 12:26 PM]
- 05/27/2025 25 *MOTION for docket clarification and correction filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [25]* [Entered: 05/29/2025 09:31 AM]
- 05/27/2025 27 Notice of receipt: Notice attached to check for docketing fee as to Petitioner Mario Mirabal. [Entered: 05/29/2025 09:36 AM]
- 05/27/2025 28 Notice of receipt: Certificate of Service as to Petitioner Mario Mirabal.. [Entered: 05/29/2025 09:38 AM]
- 05/28/2025 24 Appellate fee was paid on 05/28/2025 as to Petitioner Mario Mirabal. [Entered: 05/28/2025 01:09 PM]
- 05/29/2025 26 Notice that no action will be taken on Motion for docket clarification and correction [25] filed by Petitioner Mario Mirabal.
Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1. [Entered: 05/29/2025 09:32 AM]
- 05/29/2025 29 Notice of receipt: Supplemental Judicial Notice as to Petitioner Mario Mirabal. [Entered: 06/02/2025 03:45 PM]
- 06/02/2025 30 *"Emergency Rule 27 Motion to Stay State Court Case" filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [30]* [Entered: 06/03/2025 10:15 AM]

PACER Service Center			
Transaction Receipt			
06/09/2025 22:15:46			
PACER Login:	solphaxwest	Client Code:	7419874
Description:	Case Summary	Search Criteria:	25-11120
Billable Pages:	1	Cost:	0.10

Forensic Docket Analysis – Case No. 25-11182

Case Name: In re: Mario Mirabal

Appeal No.: 25-11182

Originating District Case: Should be 1:25-cv-20746-JEM

Filed: April 11, 2025

Type: Mandamus (Deutsche Bank Improper Remand)

Verified Filings by Petitioner (March 22 – April 17, 2025)

Filing: Rule 27 Notice of Docket Misidentification

Date on Document: May 21, 2025

Date Mailed: May 21, 2025

Estimated Delivery: May 24, 2025

Status: No correction made

Filing: Notice of Interference with Federal Jurisdiction

Date on Document: March 21, 2025

Date Mailed: March 22, 2025

Estimated Delivery: March 25, 2025

Status: Missing from docket

Filing: Emergency Petition for Writ of Mandamus

Date on Document: March 28, 2025

Date Mailed: March 28, 2025

Estimated Delivery: April 1, 2025

Status: Missing from docket

Filing: Objection to ECF Requirement – Rule 25-3(d)(2)

Date on Document: March 28, 2025

Date Mailed: March 28, 2025

Estimated Delivery: April 1, 2025

Status: Missing from docket

Filing: Certificate of Interested Persons (CIP)

Date on Document: March 28, 2025

Date Mailed: March 28, 2025

Estimated Delivery: April 1, 2025

Status: Missing from docket

**Filing: Emergency Motion to Consolidate and Hold Under Protective
Review**

Date on Document: April 17, 2025

Date Mailed: April 17, 2025

Estimated Delivery: April 20, 2025

Status: Missing from docket

Filing: Omnibus Motion to Seal

Date on Document: April 17, 2025

Date Mailed: April 17, 2025

Estimated Delivery: April 20, 2025

Status: Missing from docket

May 23, 2025 PACER Snapshot:

Earliest visible entries begin at:

Entry 18 – Order denying motions to seal, waive fees, and consolidate

Entry 20 – Docket fee paid

Entry 21 – Motion for Docket Clarification

Entry 22 – Notice of No Action (on Motion to Clarify)

Entry 23–28 – Receipts, Service Confirmations

Entry 29 – Supplemental Judicial Notice

Entry 30 – Emergency Rule 27 Motion (June)

No record of filings mailed prior to April 20 exists in the docket.

Misidentification of Originating Case:

This appeal was misdocketed as arising from Case No. 1:25-cv-20747-JEM
(a KP Investments case).

In fact, it arises from Case No. 1:25-cv-20746-JEM, involving Deutsche Bank's foreclosure action and the improper remand of that case after it was removed for fraud and federal conflict.

A Rule 27 Motion to Correct the Record was mailed and filed on May 21, 2025, explicitly alerting the court to this error

Despite this, the Clerk responded on May 29, 2025, stating:

“No action will be taken... Filing is deficient for failure to comply with the Court's rules on Certificates of Interested Persons (CIP).”

This denial was improper. The CIP was included in the submission, and

even if it had not been, this error does not justify ignoring a jurisdictional misidentification that affects the routing of the appeal, panel assignment, and mandate enforcement.

As of June 7 2025, no correction has been made, and the appeal remains mislinked to the wrong lower court proceeding.

Procedural Consequences and Pattern of Suppression:

All filings prior to April 20, 2025 are missing from the docket, including required filings like the CIP, Mandamus Petition, and Rule 25-3(d)(2) objection.

The case remains misrouted due to the Court's refusal to correct the origin case docket number.

This has created a scenario in which the correct lower court action (20746) is being entirely denied appellate review, while filings are processed under the incorrect case.

Legal and Institutional Consequences:

There is no way for the Appellant, the Court, DOJ, FBI, or Congress to verify that these filings ever existed — despite documented proof of preparation and submission.

That's not just a clerical problem.

That's docket laundering — the selective entry and later removal of filings that were acknowledged but are now wiped clean, severing public accountability.

Entries that once existed and have since been deliberately removed — after a temporary placement into the docket to make it appear like they were honored — represent not administrative delay but intentional concealment of procedural evidence.

When a federal court docket contains sealed filings that are later removed without judicial order, and the filer is unable to verify their own submission, it constitutes prima facie evidence of procedural obstruction and fraud upon the docket.

Forensic Docket Analysis – Case No. 25-11183

Case Name: In re: Mario Mirabal

Appeal No.: 25-11183

Originating District Case: 1:25-cv-20010-PCH (Judge Paul C. Huck)

Filed: April 11, 2025

Type: Mandamus (Deutsche Bank appeal obstruction)

Verified Filings by Petitioner (March 22 – April 17, 2025)

Filing: Notice of Interference with Appellate Jurisdiction

Date on Document: March 21, 2025

Date Mailed: March 22, 2025

Estimated Delivery: March 25, 2025

Status: Missing from docket

Filing: Objection to ECF Requirement – Rule 25-3(d)(2)

Date on Document: March 28, 2025

Date Mailed: March 28, 2025

Estimated Delivery: April 1, 2025

Status: Missing from docket

Filing: Emergency Petition for Writ of Mandamus

Date on Document: March 28, 2025

Date Mailed: March 29, 2025

Estimated Delivery: April 1–2, 2025

Status: Missing from docket

Filing: Certificate of Interested Persons (CIP)

Date on Document: March 28, 2025

Date Mailed: March 29, 2025

Estimated Delivery: April 1–2, 2025

Status: Missing from docket

Filing: Emergency Motion to Consolidate and Hold Under Protective
Review

Date on Document: April 17, 2025

Date Mailed: April 17, 2025

Estimated Delivery: April 20–21, 2025

Status: Missing from docket

Filing: Omnibus Motion to Seal

Date on Document: April 17, 2025

Date Mailed: April 17, 2025

Estimated Delivery: April 20–21, 2025

Status: Missing from docket

May 23, 2025 PACER Snapshot:

Earliest visible entries begin at:

Entry 11 – Motion to Consolidate (Redacted)

Entry 12 – Motion to Seal

Entry 13 – Motion to Take Judicial Notice

Entry 14 – Notice of No Action on Judicial Notice

Entry 15 – Rule 60(d)(3) Motion

Entry 16 – Waiver of Docketing Fee

Entry 17 – Appellate Fee Paid (May 21)

Entry 18 – Supplemental Notice

Entry 19 – Emergency Rule 27 Motion (June)

None of the filings from March or early April appear.

Current PACER Record:

Entries 11 through 19 remain visible.

The docket still omits all entries prior to Entry 11.

Jurisdictional and protective filings mailed between March 22 and April 17 — including the mandatory CIP and Petition for Mandamus — are suppressed.

Procedural Consequences and Pattern of Suppression:

The appeal begins with mid-April consolidation motions, skipping foundational filings necessary to establish jurisdiction.

Entry 12 (Motion to Seal) appears on PACER, but all filings submitted under seal prior to that — including the Petition itself — are not docketed.

Petitioner's formal objection to electronic filing (ECF Objection under 11th Cir. R. 25-3(d)(2)) was also not entered, despite being submitted across all six cases

As with all related cases, the CIP and Notice of Interference were required and timely filed, but removed from judicial visibility.

Legal and Institutional Consequences:

There is no way for the Appellant, the Court, DOJ, FBI, or Congress to verify that these filings ever existed — despite documented proof of preparation and submission.

That's not just a clerical problem.

That's docket laundering — the selective entry and later removal of filings that were acknowledged but are now wiped clean, severing public accountability.

Entries that once existed and have since been deliberately removed — after a temporary placement into the docket to make it appear like they were honored — represent not administrative delay but intentional concealment of procedural evidence.

When a federal court docket contains sealed filings that are later removed without judicial order, and the filer is unable to verify their own submission, it constitutes prima facie evidence of procedural obstruction and fraud upon the docket.

- 04/21/2025 7 Notice of receipt: objection to the ECF requirement as to Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183.. [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:35 PM]
- 04/21/2025 9 *Unredacted MOTION to seal filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [9]* [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/01/2025 04:47 PM]
- 04/21/2025 10 *Unredacted MOTION to consolidate appeals 25-10862,25-11120,25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [10]* [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 10:23 AM]
- 04/21/2025 11 *Redacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [11]* [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 11:45 AM]
- 04/29/2025 6 *MOTION to seal filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [6]* [Entered: 04/29/2025 01:29 PM]
- 05/14/2025 12 *MOTION to take judicial notice filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [12]* [Entered: 05/14/2025 10:16 AM]
- 05/14/2025 13 Notice that no action will be taken on Motion to take judicial notice [12] filed by Petitioner Mario Mirabal. Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1.. [Entered: 05/14/2025 10:16 AM]
- 05/15/2025 15 Appellant's Certificate of Interested Persons and Corporate Disclosure Statement filed by Petitioner Mario Mirabal. [Entered: 05/20/2025 01:00 PM]
- 05/15/2025 16 *MOTION Motion for Relief from Judgment Based on Fraud Upon the Court filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [16]* [Entered: 05/20/2025 01:08 PM]
- 05/20/2025 14 ORDER: Petitioner's motions to waive fees without filing a financial affidavit, to seal filings in this case, and to consolidate it with other cases pending before the Court are DENIED. Within 14 days after the date of this order, Petitioner must pay the docketing fees or file a motion for leave to proceed in forma pauperis with a financial affidavit attached. Petitioner must also serve Respondent with a copy of his petition and provide proof of service to this Court. If Petitioner does not file proof of service within 14 days after the date of this order, the Clerk's Office is DIRECTED to dismiss this case for want of prosecution. ENTERED FOR THE COURT - BY DIRECTION. (See attached order for complete text) [Entered: 05/20/2025 12:52 PM]

PACER Service Center			
Transaction Receipt			
05/23/2025 03:02:16			
PACER Login:	solphaxwest	Client Code:	
Description:	Case Summary	Search Criteria:	25-11183
Billable Pages:	1	Cost:	0.10

- 04/21/2025 11 *Redacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [11] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 11:45 AM]*
- 04/29/2025 6 *MOTION to seal filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [6] [Entered: 04/29/2025 01:29 PM]*
- 05/14/2025 12 *MOTION to take judicial notice filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [12] [Entered: 05/14/2025 10:16 AM]*
- 05/14/2025 13 *Notice that no action will be taken on Motion to take judicial notice [12] filed by Petitioner Mario Mirabal. Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1.. [Entered: 05/14/2025 10:16 AM]*
- 05/15/2025 15 *Appellant's Certificate of Interested Persons and Corporate Disclosure Statement filed by Petitioner Mario Mirabal. [Entered: 05/20/2025 01:00 PM]*
- 05/15/2025 16 *MOTION Motion for Relief from Judgment Based on Fraud Upon the Court filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [16] [Entered: 05/20/2025 01:08 PM]*
- 05/20/2025 14 *ORDER: Petitioner's motions to waive fees without filing a financial affidavit, to seal filings in this case, and to consolidate it with other cases pending before the Court are DENIED. Within 14 days after the date of this order, Petitioner must pay the docketing fees or file a motion for leave to proceed in forma pauperis with a financial affidavit attached. Petitioner must also serve Respondent with a copy of his petition and provide proof of service to this Court. If Petitioner does not file proof of service within 14 days after the date of this order, the Clerk's Office is DIRECTED to dismiss this case for want of prosecution. ENTERED FOR THE COURT - BY DIRECTION. (See attached order for complete text) [Entered: 05/20/2025 12:52 PM]*
- 05/28/2025 17 *Appellate fee was paid on 05/21/2025 as to Petitioner Mario Mirabal. Rcpt #6363201199 [Entered: 05/28/2025 11:28 AM]*
- 05/29/2025 18 *Notice of receipt: Supplemental Notice as to Petitioner Mario Mirabal.. [Entered: 05/29/2025 02:41 PM]*
- 06/02/2025 19 *"Emergency Rule 27 Motion to Stay State Court Case" filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [19] [Entered: 06/03/2025 12:13 PM]*

PACER Service Center			
Transaction Receipt			
06/07/2025 03:31:16			
PACER Login:	solphaxwest	Client Code:	
Description:	Case Summary	Search Criteria:	25-11183
Billable Pages:	1	Cost:	0.10

- 04/21/2025 11 Redacted MOTION to consolidate appeals 25-10862, 25-11120, 25-11182 and 25-11183 filed by Appellant Mario Mirabal in 25-10858, 25-10862, Petitioner Mario Mirabal in 25-11120, 25-11182, 25-11183. Opposition to Motion is Unknown [11] [25-10858, 25-10862, 25-11120, 25-11182, 25-11183] [Entered: 05/02/2025 11:45 AM]
- 04/29/2025 6 MOTION to seal filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [6] [Entered: 04/29/2025 01:29 PM]
- 05/14/2025 12 MOTION to take judicial notice filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [12] [Entered: 05/14/2025 10:16 AM]
- 05/14/2025 13 Notice that no action will be taken on Motion to take judicial notice [12] filed by Petitioner Mario Mirabal. Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1.. [Entered: 05/14/2025 10:16 AM]
- 05/15/2025 15 Appellant's Certificate of Interested Persons and Corporate Disclosure Statement filed by Petitioner Mario Mirabal. [Entered: 05/20/2025 01:00 PM]
- 05/15/2025 16 MOTION Motion for Relief from Judgment Based on Fraud Upon the Court filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [16] [Entered: 05/20/2025 01:08 PM]
- 05/20/2025 14 ORDER: Petitioner's motions to waive fees without filing a financial affidavit, to seal filings in this case, and to consolidate it with other cases pending before the Court are DENIED. Within 14 days after the date of this order, Petitioner must pay the docketing fees or file a motion for leave to proceed in forma pauperis with a financial affidavit attached. Petitioner must also serve Respondent with a copy of his petition and provide proof of service to this Court. If Petitioner does not file proof of service within 14 days after the date of this order, the Clerk's Office is DIRECTED to dismiss this case for want of prosecution. ENTERED FOR THE COURT - BY DIRECTION. (See attached order for complete text) [Entered: 05/20/2025 12:52 PM]
- 05/28/2025 17 Appellate fee was paid on 05/21/2025 as to Petitioner Mario Mirabal. Rcpt #6363201199 [Entered: 05/28/2025 11:28 AM]
- 05/29/2025 18 Notice of receipt: Supplemental Notice as to Petitioner Mario Mirabal.. [Entered: 05/29/2025 02:41 PM]
- 06/02/2025 19 "Emergency Rule 27 Motion to Stay State Court Case" filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [19] [Entered: 06/03/2025 12:13 PM]

PACER Service Center			
Transaction Receipt			
06/09/2025 22:17:32			
PACER Login:	solphaxwest	Client Code:	7419874
Description:	Case Summary	Search Criteria:	25-11183
Billable Pages:	1	Cost:	0.10

Forensic Docket Analysis – Case No. 25-11254

Case Name: In re: Mario Mirabal

Appeal No.: 25-11254

Filed: April 7, 2025

Type: Mandamus

Actual Originating Case: 1:25-cv-20011-JEM (Bankruptcy Appeal)

Clerk Misclassified Origin As: 1:25-cv-20688-JEM

Background:

This case originated from a bankruptcy appeal in District Court Case No. 1:25-cv-20011-JEM. That appeal arose from the dismissal of an adversary complaint filed by Petitioner Mario Mirabal against KP Investments Miami LLC in Bankruptcy Adversary Case No. 24-01419-CLC. The adversary proceeding was dismissed by Bankruptcy Judge Corali Lopez-Castro on December 20, 2024.

Judge Lopez-Castro dismissed the adversary complaint knowing that PHH Mortgage, acting as servicer for Deutsche Bank, had issued a warranty deed to KP Investments Miami LLC days prior to the dismissal of the bankruptcy case. This transfer involved Petitioner's homestead property and occurred while the Petitioner was still under the protection of the Bankruptcy Court. The conveyance was not executed by the named creditor Deutsche Bank, but by its servicer PHH Mortgage, raising jurisdictional and standing issues that were never adjudicated.

At the time of dismissal, the Court was aware that Petitioner's counsel had abandoned the case without notice and subsequently passed away, leaving Petitioner without representation. The Court was also aware that two adversary complaints remained pending—one against Deutsche Bank and one against KP Investments—alleging fraud, perjury, and collusion.

In addition to the active adversary complaints, the Petitioner had pending Rule 1.540(b) motions in state court challenging both the Deutsche Bank foreclosure judgment and the KP-specific performance order based on fraud upon the court.

Despite these pending matters, Judge Lopez-Castro dismissed both adversary proceedings concurrently with the main bankruptcy dismissal and did so without hearing on the merits of the fraud claims. Petitioner appealed this dismissal to the District Court. Months later, Judge Lopez-Castro effectively conceded that Deutsche Bank lacked legal standing by ordering the Chapter 13 Trustee to return all funds that had been reserved for Deutsche Bank's claim. This order, reversing the trustee's prior disbursement plan, confirmed that the creditor who allegedly held the mortgage did not have a valid enforceable claim.

Post-Dismissal Misconduct:

In the weeks following the dismissal of both the bankruptcy case and the related adversary complaints, Deutsche Bank and its counsel made a series of contradictory and alarming disclosures. During the bankruptcy proceedings, they had submitted representations under oath asserting that they were in possession of the original promissory note and had the legal right to enforce it. These assertions were central to their claim of standing.

However, after the dismissal, Deutsche Bank's attorneys informed the state court that the original note had been lost a year earlier, directly contradicting their prior sworn statements. They further requested that all physical records and mortgage documents be removed from the state court file and replaced with digital copies — documents that cannot be subjected to independent forensic analysis, as attributes such as ink composition, indentation, and age markers are not preserved in electronic images.

The fact that Deutsche Bank now claims the original note is permanently lost makes it impossible to verify the authenticity of any scanned version, especially in light of the undisputed fact that the assignment from IndyMac to Deutsche Bank — which was the sole basis for the foreclosure — was executed two years after IndyMac ceased to exist, and was signed by known robo-signer Erica Johnson-Seck and disbarred attorney David J. Stern.

Despite being put on notice of these contradictions and the evidentiary compromise, District Judge Jose E. Martinez took no action to investigate, stay the proceeding, or refer the matter for judicial misconduct or criminal review. His inaction effectively sanctioned the erasure of critical evidence and furthered the concealment of Deutsche Bank's fraudulent standing.

Clerk Misclassification:

The Clerk of the Eleventh Circuit erroneously docketed the mandamus as if it originated from Case No. 1:25-cv-20688-JEM — a KP removal case — rather than the correct source case, 1:25-cv-20011-JEM. This misclassification severed the procedural integrity of the case and rerouted filings through an unrelated jurisdictional history.

As a result, court staff applied incorrect standards to the petition, and all

filings submitted under the correct context of a bankruptcy appeal mandamus were misprocessed.

Verified Filings by Petitioner (March–April 2025):

Filing: Notice of Interference and Protective Removal

Date on Document: March 22, 2025

Date Mailed: March 24, 2025

Estimated Delivery: March 27, 2025

Status: Missing from docket

Filing: Emergency Petition for Writ of Mandamus

Date on Document: March 28, 2025

Date Mailed: March 29, 2025

Estimated Delivery: April 1, 2025

Status: Missing from docket

Filing: Objection to ECF Requirement – Rule 25-3(d)(2)

Date on Document: March 28, 2025

Date Mailed: March 29, 2025

Estimated Delivery: April 1–2, 2025

Status: Missing from docket

Filing: Certificate of Interested Persons (CIP)

Date on Document: March 28, 2025

Date Mailed: March 29, 2025

Estimated Delivery: April 1–2, 2025

Status: Missing from docket

Filing: Emergency Motion to Consolidate and Hold Under Protective
Review

Date on Document: April 17, 2025

Date Mailed: April 17, 2025

Estimated Delivery: April 20–21, 2025

Status: Missing from docket

Filing: Omnibus Motion to Seal

Date on Document: April 17, 2025

Date Mailed: April 17, 2025

Estimated Delivery: April 20–21, 2025

Status: Missing from docket

Clerk Suppression and June 6 Event:

On June 6, 2025, the Clerk of Court dismissed the mandamus proceeding for “want of prosecution,” claiming that Petitioner failed to pay filing fees. This occurred despite Petitioner having submitted a fee waiver and sealed

filings under protective cover, and on the very day the Eleventh Circuit received a detailed en banc submission exposing this pattern of clerk interference.

The June 6 entries included:

Entry 17 – Dismissal Order for Want of Prosecution

Entry 18 – Motion to Vacate marked MOOT

Entry 21 – Emergency Rule 27 Motion marked MOOT

These docket entries served to retroactively close the case, block judicial review, and destroy the record of protected filings.

Procedural Consequences:

The Clerk misidentified the origin of the appeal, failed to link the docket to the correct district court proceeding (1:25-cv-20011-JEM), suppressed sealed filings submitted under Rule 25-3 and 31 U.S.C. § 3730(b)(2), and prematurely closed the appeal while motions were pending.

This is not only an error in routing, but an act of suppression which undermines appellate jurisdiction over a live bankruptcy-related appeal.

Legal and Institutional Consequences:

There is no way for the Appellant, the Court, DOJ, FBI, or Congress to verify that these filings ever existed — despite documented proof of preparation and submission.

That's not just a clerical problem.

That's docket laundering — the selective entry and later removal of filings that were acknowledged but are now wiped clean, severing public accountability.

Entries that once existed and have since been deliberately removed — after a temporary placement into the docket to make it appear like they were honored — represent not administrative delay but intentional concealment of procedural evidence.

When a federal court docket contains sealed filings that are later removed without judicial order, and the filer is unable to verify their own submission, it constitutes prima facie evidence of procedural obstruction and fraud upon the docket.

- 04/21/2025 5 Redacted Amended Petition for mandamus filed by Petitioner Mario Mirabal. [Entered: 05/01/2025 02:44 PM]
- 04/21/2025 6 Unredacted MOTION to seal filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [6] [Entered: 05/01/2025 02:49 PM]
- 04/21/2025 7 Redacted MOTION to seal filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [7] [Entered: 05/01/2025 02:54 PM]
- 04/21/2025 8 Notice of receipt: objection to digital disclosure as to Petitioner Mario Mirabal.. [Entered: 05/01/2025 03:02 PM]
- 04/21/2025 9 MOTION waive fees filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [9] [Entered: 05/01/2025 03:09 PM]
- 04/21/2025 10 Redacted MOTION waive fees filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [10] [Entered: 05/01/2025 03:12 PM]
- 04/21/2025 11 Appellant's Certificate of Interested Persons and Corporate Disclosure Statement filed by Petitioner Mario Mirabal. [Entered: 05/01/2025 03:14 PM]
- 05/08/2025 12 Returned Mail was received for Attorney Kenneth Damas for Mandamus Respondent KP Investments Miami, LLC. IN RE: Mandamus notice dated 4/18/2025 [Entered: 05/13/2025 03:38 PM]
- 05/20/2025 13 ORDER: Motion filed by Petitioner Mario Mirabal is DENIED. [10], Motion filed by Petitioner Mario Mirabal is DENIED. [9]; Motion to seal documents filed by Petitioner Mario Mirabal is DENIED. [7], Motion to seal documents filed by Petitioner Mario Mirabal is DENIED. [6] ENTERED FOR THE COURT - BY DIRECTION. (See attached order for complete text) [Entered: 05/20/2025 02:19 PM]
- 05/20/2025 14 NOTICE OF CERTIFICATE OF INTERESTED PERSONS (CIP) DEFICIENCY issued to Kenneth Damas for KP Investments Miami, LLC. You have failed to complete the Web-Based CIP on the Court's website and have not filed the standalone CIP. If you are an appellant or petitioner, pursuant to 11th Cir. Rules 26.1-5(c) and 42-1(b), this appeal will be dismissed without further notice upon the expiration of 14 days from the date of this notice unless you remedy the default(s). [Entered: 05/20/2025 02:40 PM]

PACER Service Center			
Transaction Receipt			
05/23/2025 03:01:10			
PACER Login:	solphaxwest	Client Code:	
Description:	Case Summary	Search Criteria:	25-11254
Billable Pages:	1	Cost:	0.10

- 04/21/2025 11 Appellant's Certificate of Interested Persons and Corporate Disclosure Statement filed by Petitioner Mario Mirabal. [Entered: 05/01/2025 03:14 PM]
- 05/08/2025 12 Returned Mail was received for Attorney Kenneth Damas for Mandamus Respondent KP Investments Miami, LLC. IN RE: Mandamus notice dated 4/18/2025 [Entered: 05/13/2025 03:38 PM]
- 05/14/2025 15 *MOTION vacate lower court order filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [15]* [Entered: 05/27/2025 04:05 PM]
- 05/20/2025 13 ORDER: Motion filed by Petitioner Mario Mirabal is DENIED. [10], Motion filed by Petitioner Mario Mirabal is DENIED. [9]; Motion to seal documents filed by Petitioner Mario Mirabal is DENIED. [Z], Motion to seal documents filed by Petitioner Mario Mirabal is DENIED. [6] ENTERED FOR THE COURT - BY DIRECTION. (See attached order for complete text) [Entered: 05/20/2025 02:19 PM]
- 05/20/2025 14 NOTICE OF CERTIFICATE OF INTERESTED PERSONS (CIP) DEFICIENCY issued to Kenneth Damas for KP Investments Miami, LLC. You have failed to complete the Web-Based CIP on the Court's website and have not filed the standalone CIP. If you are an appellant or petitioner, pursuant to 11th Cir. Rules 26.1-5(c) and 42-1(b), this appeal will be dismissed without further notice upon the expiration of 14 days from the date of this notice unless you remedy the default(s). [Entered: 05/20/2025 02:40 PM]
- 05/29/2025 16 Notice of receipt: Supplemental Judicial Notice of KP INVESTMENTS Litigation Advancement And Summary Judgment Request in State Court Despite Federal Appeals, Rescission notices, and pending rule 60(d)(3) findings as to Petitioner Mario Mirabal.. [Entered: 06/03/2025 08:18 AM]
- 06/02/2025 19 *"Emergency Rule 27 Motion to Stay State Court Case" filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [19]* [Entered: 06/06/2025 01:18 PM]
- 06/06/2025 17 ORDER: Pursuant to the 11th Cir. R. 42-1(b), this petition is hereby DISMISSED for want of prosecution because the Petitioner Mario Mirabal failed to pay the filing and docketing fees to the clerk of this court within the time fixed by the rules [Entered: 06/06/2025 09:25 AM]
- 06/06/2025 18 MOTION MOOT: Motion to vacate lower court order is MOOT [15] due to clerk's order filed 06/06/2025. Motion filed by Petitioner Mario Mirabal. [Entered: 06/06/2025 09:28 AM]
- 06/06/2025 21 MOTION MOOT: "Emergency Rule 27 Motion to Stay State Court Case" is MOOT [19] due to clerk's order filed 06/06/2025. Motion filed by Petitioner Mario Mirabal. [Entered: 06/06/2025 01:20 PM]

PACER Service Center			
Transaction Receipt			
06/07/2025 03:30:08			
PACER Login:	solphaxwest	Client Code:	
Description:	Case Summary	Search Criteria:	25-11254
Billable Pages:	1	Cost:	0.10

- 04/21/2025 11 Appellant's Certificate of Interested Persons and Corporate Disclosure Statement filed by Petitioner Mario Mirabal. [Entered: 05/01/2025 03:14 PM]
- 05/08/2025 12 Returned Mail was received for Attorney Kenneth Damas for Mandamus Respondent KP Investments Miami, LLC. IN RE: Mandamus notice dated 4/18/2025 [Entered: 05/13/2025 03:38 PM]
- 05/14/2025 15 MOTION vacate lower court order filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [15] [Entered: 05/27/2025 04:05 PM]
- 05/20/2025 13 ORDER: Motion filed by Petitioner Mario Mirabal is DENIED. [10], Motion filed by Petitioner Mario Mirabal is DENIED. [9]; Motion to seal documents filed by Petitioner Mario Mirabal is DENIED. [7], Motion to seal documents filed by Petitioner Mario Mirabal is DENIED. [6] ENTERED FOR THE COURT - BY DIRECTION. (See attached order for complete text) [Entered: 05/20/2025 02:19 PM]
- 05/20/2025 14 NOTICE OF CERTIFICATE OF INTERESTED PERSONS (CIP) DEFICIENCY issued to Kenneth Damas for KP Investments Miami, LLC. You have failed to complete the Web-Based CIP on the Court's website and have not filed the standalone CIP. If you are an appellant or petitioner, pursuant to 11th Cir. Rules 26.1-5(c) and 42-1(b), this appeal will be dismissed without further notice upon the expiration of 14 days from the date of this notice unless you remedy the default(s). [Entered: 05/20/2025 02:40 PM]
- 05/29/2025 16 Notice of receipt: Supplemental Judicial Notice of KP INVESTMENTS Litigation Advancement And Summary Judgment Request in State Court Despite Federal Appeals, Rescission notices, and pending rule 60(d)(3) findings as to Petitioner Mario Mirabal. [Entered: 06/03/2025 08:18 AM]
- 06/02/2025 19 "Emergency Rule 27 Motion to Stay State Court Case" filed by Petitioner Mario Mirabal. Opposition to Motion is Unknown [19] [Entered: 06/06/2025 01:18 PM]
- 06/06/2025 17 ORDER: Pursuant to the 11th Cir. R. 42-1(b), this petition is hereby DISMISSED for want of prosecution because the Petitioner Mario Mirabal failed to pay the filing and docketing fees to the clerk of this court within the time fixed by the rules [Entered: 06/06/2025 09:25 AM]
- 06/06/2025 18 MOTION MOOT: Motion to vacate lower court order is MOOT [15] due to clerk's order filed 06/06/2025. Motion filed by Petitioner Mario Mirabal. [Entered: 06/06/2025 09:28 AM]
- 06/06/2025 21 MOTION MOOT: "Emergency Rule 27 Motion to Stay State Court Case" is MOOT [19] due to clerk's order filed 06/06/2025. Motion filed by Petitioner Mario Mirabal. [Entered: 06/06/2025 01:20 PM]

PACER Service Center			
Transaction Receipt			
06/09/2025 22:16:14			
PACER Login:	solphaxwest	Client Code:	7419874
Description:	Case Summary	Search Criteria:	25-11254
Billable Pages:	1	Cost:	0.10

**Supplemental Evidence of En Banc Suppression – June 10, 2025 Filing
Discrepancy**

On June 2, 2025, Appellant submitted an Emergency Motion for En Banc Review to Preserve Jurisdiction, Correct Clerk-Level Suppression, and Resolve Inconsistent Treatment of Fraud-on-the-Court Filings. This motion, was filed in each of the following dockets:

25-10858

25-10862

25-11120

25-11182

25-11183

25-11254

25-11752

However, as of June 9, 2025, the motion was:

Entered only in Docket 25-10858, which had already been closed by the Clerk (Entry 29);

Marked “No action will be taken” ;

Omitted from all other open, active appellate cases, despite being mailed together and bearing identical captions.

This selective appearance violates the Court’s own procedures for circulating en banc requests. According to FRAP 35 and 11th Cir. R. 35-1, an en banc motion must be circulated to all active judges unless procedurally barred — yet no such ruling was issued here. The motion was simply not docketed in the majority of cases.

This now constitutes a seventh category of suppression within the Eleventh Circuit Clerk’s Office:

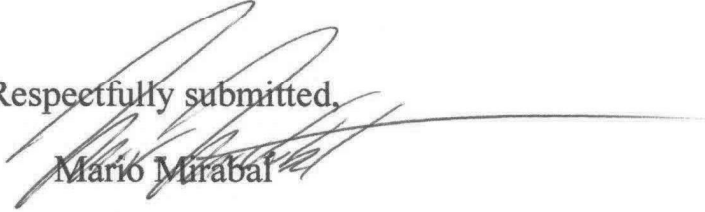
Suppression of an en banc motion by filing it into only one improperly closed case, refusing to docket it elsewhere, and misrepresenting the procedural basis for inaction.

This is not administrative delay. It is a deliberate misdirection of jurisdictional procedure, carried out in response to a filing that explicitly alleges misconduct within the Clerk’s Office.

Accordingly, Appellant supplements the record and respectfully demands that the Emergency En Banc Motion dated June 2, 2025 — along with the

present Addendum and Exhibits — be immediately circulated to the full Court and docketed in all relevant cases listed above, in accordance with FRAP 35(a) and the Eleventh Circuit's internal rules of en banc review.

Respectfully submitted,


Mario Mirabal

Pro Se Appellant

563 W. 49th Street

Miami Beach, FL 33140

solphax@gmail.com

786.479.6596

June 10, 2025

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached En Banc Addendum and supporting exhibits was served via U.S. Mail on the Clerk of the Court at:

Clerk of Court

U.S. Court of Appeals for the Eleventh Circuit

56 Forsyth Street, N.W.

Atlanta, Georgia 30303

Copies have also been sent by mail to:

Department of Justice – Civil Frauds Division

The Office of Senator Charles Grassley – Judiciary Oversight Staff

The Judicial Conference of the United States

Chief Judge of the Eleventh Circuit William H. Pryor Jr.

I certify that on June 10, 2025, I mailed this motion to the Clerk of Court and to all opposing counsel as previously served in each related docket, and

am filing it in:

25-10858, 25-10862, 25-11120, 25-11182, 25-11183, 25-11254, and
25-11752

Tyrone A. Adras, Esq. C. Wade Bowden, Esq. Ari H. Newman, Esq.

Greenberg Traurig, P.A.

333 SE 2nd Avenue, Suite 4400

Miami, FL 33131

Matthew Marks, Esq.

Brock & Scott, PLLC

2001 NW 64th Street, Suite 130

Fort Lauderdale, FL 33309

Counsel for KP Investments Miami, LLC

John Cunill, Esq.

Adorno-Cunill & Damas, PL

1000 Brickell Avenue, Suite 720

Miami, Florida 33131

Kenneth M. Damas, Esq.

300 Sevilla Ave Ste 210

Coral Gables, FL 33134

Clerk, U.S. Court of Appeals for the Eleventh Circuit

56 Forsyth Street, N.W., Atlanta, GA 30303

Each recipient was served in connection with their role in the related lower court proceedings and as counsel of record in one or more consolidated appeals.

The full filing is available to all parties via the PACER system.

Respectfully submitted,


Mario Mirabal

Pro Se Appellant

563 W. 49th Street

Miami Beach, FL 33140

solphax@gmail.com

786.479.6596

June 10, 2025

CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 32(g)(1), I certify that this filing complies with the applicable type-volume limitation for addenda and supporting exhibits.

The body of the addendum is prepared in proportionally spaced 14-point typeface, and all sections combined do not exceed the limits set forth in

FRAP 32(a)(7) or Rule 35 supporting documents.

Signed:


Mario Mirabal

Pro Se

563 w 49 st

Miami Beach Fl, 33140

solphax@gmail.com

786.479.6596

June 10 2025



CERTIFICATE OF INTERESTED PERSONS AND CORPORATE
DISCLOSURE STATEMENT

Unified List for All Related Federal Appeals

Pursuant to 11th Cir. R. 26.1-1 through 26.1-3, the undersigned certifies that the following individuals, entities, attorneys, and judges have an interest in the outcome of this appeal or are related to the underlying and parallel proceedings:

Relator / Appellant / Petitioner

– Mario Mirabal (Pro Se)

Opposing Parties / Appellees / Plaintiffs

- Deutsche Bank National Trust Company
- PHH Mortgage Corporation (servicer)
- KP Investments Miami, LLC
- RAS LaVrar, LLC

Attorneys for KP Investments / Deutsche Bank

- John Cunill, Esq. – The Cunill Law Firm, PA
- Kenneth Damas – formerly of Adorno & Cunill, P.A.
- Mehwish A. Yousuf – Counsel for Deutsche Bank
- Ari Newman Counsel for Deutsche Bank
- Matthew Marks Counsel for Deutsche Bank

Presiding Judges in Related Federal District Court Cases

- Judge Jose E. Martinez (S.D. Fla.) – Cases: 1:25-cv-20747-JEM, 1:25-cv-20746-JEM
- Judge Paul C. Huck (S.D. Fla.) – Case: 1:25-cv-20010-PCH
- Judge Jacqueline Becerra (S.D. Fla., reassigned case) – Case: 1:25-cv-20011-JEM

State Court Judges in Underlying Litigation

- Judge Javier Enriquez – 2018-018704-CA-01 (Deutsche Bank)
- Judge Brinkley -- formerly assigned
- Judge Bokor -- formerly assigned
- Judge Jason Dimitris – 2022-004706-CA-01 (KP Investments, Specific Performance)
- Judge Ariana Fajardo Orshan – 2024-022769-CA-01 (KP Investments, Ejectment)
- Judge David Miller (formerly assigned in specific performance suit)
- Judge Corali Lopez-Castro – Bankruptcy Court (adversary proceeding dismissed)

Appellate Courts & Cases (11th Circuit)

- 25-10858 – KP v. Mirabal (District: 1:25-cv-20688-JEM)
- 25-10862 – KP v. Mirabal (District: 1:25-cv-20747-JEM)
- 25-11120 – In re: Mario Mirabal (Writ re: Judge Martinez/Orshan Remand Protective Filling)

- 25-11182 – In re: Mario Mirabal (Second Writ – Protective Filing)
- 25-11183 – In re: Mario Mirabal (Writ re: Judge Huck and Case 1:25-cv-20010-PCH protective Filing)
- 25-11254 – In re: Mario Mirabal (Writ of Mandamus arising from Case No. 1:25-cv-20688-JEM Judge Jose E. Martinez)

State Appellate Court

- 3D2025-0540 – 3rd District Court of Appeal (FL) – Appeal of Orshan default judgment while under 11th District US Appeals Court jurisdiction

The undersigned affirms this list is complete and accurate to the best of his knowledge and will be updated as necessary.

Respectfully submitted,

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